

C.F. 100-20
(4)

BEFORE HONOURABLE HIGH COURT OF JUDICATURE AT
BILASPUR CHHATTISGARH

Writ Petition No. 1577 of 2001

PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION
OF INDIA

PETITIONER

: MAHENDRA KUMAR MEHRA, son of
Shri Babulal Mehra, age about
40 years presently posted as Block
Development Education Officer,
Tribal Welfare Department at
NAGRI, Distt.: Dhamtari (Chhattis-
garh), resident of Junglepara
Nagri.

P. R. No. 1570/07
Presented by Shri P.T. Lakshmi
dated 1.4.82

V E R S U S

RESPONDENTS

- : 1. STATE OF CHHATTISGARH,
Through the Secretary,
Department of Schedule Caste,
Schedule Tribe, Backward Class
and Minority Welfare, Mantralaya
RAIPUR C.G.
2. COLLECTOR, Dhamtari District,
Tribal Welfare Department,
Dhamtari C.G.).
3. DISTRICT ORGANISER (C) EDUCATION
Tribal Welfare Department,
Dhamtari, District Dhamtari C.G.

PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION
OF INDIA FOR ISSUANCE OF AN APPROPRIATE WRIT, DIRECTION
AND/OR ORDER.



आदेश पत्रक

W.P.No.1577/2001

मामला क्रमांक सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	<u>30/10/2001</u> Shri G.R. Sahu, learned counsel for the petitioner. Shri D.Kesharwani, learned PL for respondent/State. Heard. O R D E R The matter concerns the transfer of the writ petitioner. This petition was moved on 30/8/2001. It was stated at the Bar on that day that no one had joined in place of the writ petitioner. Hence, this Court ordered as follows: "If that be so, status quo be maintained. That means the petitioner shall be allowed to continue till the next date of hearing". On 12/9/2001, notices were issued. Interim order passed earlier was ordered to continue. On that day a prayer was made that the petitioner should be paid his salary and allowances. The matter was left open to the Competent Authority to decide. It was, however, expressed by this Court if the petitioner had rendered services he ought to be paid his normal pay and allowances. On 25/9/2001 return was filed on behalf of the respondent. A document dated 24/7/2001 vide Annexure /R-1 was filed with the return. The said document is the order of release issued in respect of the	

[पीछे देखिये]

आदेश पत्रक (पुर्वानुबद्ध)

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	.. 2 .. writ petitioner. Annexure R/2 is another document dated 24/7/2001 by which one Shri S.N. Dhruv had joined as Principal in place of the writ petitioner. The writ petitioner was also holding dual charge of Block Education Officer. Annexure R/3 is the document dated 3/8/2001 by which one Shri Renlal Dev had joined in place of the writ petitioner as Block Education Officer. It is contended that the interim order dated 30/8/2001 was passed on the basis that the petitioner was still continuing on that day as Principal as well as Block Education Officer whereas factually before the interim order was passed the other two persons named above ^{had} ~~have~~ already joined as Principal and Block Education Officer respectively in place of the writ petitioner as recorded above. There is no rebuttal as far as the averment made in the return filed on behalf of the respondents as regards the documents Annexures R/1, R/2 & R/3. In the result, I hold that the petition has become infructuous inasmuch as the interim order passed by this Court could not have been operative as two other persons had joined prior to passing of the interim orders on 30/8/2001 and also on 12/9/2001. Accordingly, this petition is dismissed. No costs.	
		Sd/- Chief Justice

JRPRJ—PS/311—1/2001—50,000.

rsnr*

111 25/7/01